

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS


-----	x	
	:	
CHRISTOPHER GERARD AHEE,	:	
	:	
Plaintiff,	:	Civil Action
v.	:	No. 04-10517-JLT
	:	
PHILIP LAUGHLIN, MICHAEL SABLONSKI,	:	
ALBERT ERANI, DONNA ABELLI	:	
LOPOLITO, JOHN J. ACARI, HERBERT M.	:	
STEIN, ALAN ADES, BERNARD A. MAR-	:	
DEN, ALAN W. TUCK, NOVARTIS PHARMA	:	
AG and PRICEWATERHOUSECOOPERS LLP,	:	
	:	
Defendants.	:	
-----	x	

**PRICEWATERHOUSECOOPERS LLP'S OPPOSITION TO
PLAINTIFF'S MOTION TO STRIKE DEFENDANT'S MOTION TO DISMISS**

On March 15, 2004, Plaintiff filed a virtually a verbatim duplicate of the first-filed complaint in the action captioned Hofmann v. Laughlin, Civ. No. 04-10027-JLT (D. Mass. filed January 7, 2004). PwC served a copy of its motion to dismiss by hand on April 5, 2004. On April 15, 2004, Plaintiff filed a motion to strike and purported "preliminary opposition" to PwC's motion to dismiss, adopting in their entirety the arguments and authorities set forth in the motion to strike filed in Hofmann. Consequently, Ahee's motion should be denied and PwC's motion to dismiss should be granted for the same reasons stated in PwC's Opposition To Plaintiff's Motion To Strike filed in the Hofmann case (the "Opposition") (copy attached hereto at Tab A). PwC incorporates and expressly adopts by reference all of the arguments and authorities stated in the Memorandum and the additional materials attached thereto filed in Hofmann. Accordingly, the Proposed Order (attached hereto at Tab B) should be entered.

Dated: April 26, 2004
Boston, Massachusetts

Respectfully submitted,


James R. Carroll (BBO #554426)
Matthew J. Matule (BBO #632075)
SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP
One Beacon Street
Boston, Massachusetts 02108
(617) 573-4800

Counsel for Defendant
PricewaterhouseCoopers LLP

Certificate Of Service

I, Matthew J. Matule, hereby certify that on April 26, 2004, I caused a true copy of the foregoing PricewaterhouseCoopers LLP's Opposition To Plaintiff's Motion To Strike Defendant's Motion To Dismiss (filed in Hofmann) to be served upon the attorneys of record by the means indicated on the service list attached hereto.

Dated: April 26, 2004



Matthew J. Matule

SERVICE LIST

BY HAND DELIVERY

Nancy Freeman Gans, Esq.
Moulton & Gans, P.C.
33 Broad Street, Suite 1100
Boston, MA 02109-4216

Jeffrey B. Rudman, Esq.
Hale & Dorr LLP
60 State Street
Boston, MA 02109

BY FIRST-CLASS MAIL, POSTAGE PRE-PAID

Peter A. Lagorio, Esq.
Gilman And Pastor, LLP
Stonehill Corporate Center
999 Broadway, Suite 500
Saugus, MA 01906

Sandy A. Liebhard, Esq.
Bernstein Liebhard & Lifschitz, LLP
10 East 40th Street, 22nd Floor
New York, NY 10016

Steven G. Schulman, Esq.
Milberg Weiss Bershad Hynes & Lerach LLP
One Pennsylvania Plaza
New York, NY 10119

David R. Scott, Esq.
Scott & Scott LLC
P.O. Box 192
Colchester, CT 06415